

APR 27 2005



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FAX TRANSMITTAL SHEET**NO. OF PAGES** (including this page): 9**TO:** B.E. Bunner**Art Unit:** 1647**FAX:** (703) 872-9306**FROM:** Sheela Mohan-Peterson**DATE:** April 27, 2005**RE:** Docket No.: DX0670KB1B

USSN: 10/777,524

Filed: 02/11/2004

Title: Isolated Mammalian Monocyte Cell Genes; Related Reagents

Any difficulty with this facsimile, please call: Melanie Lyons at (650) 496-1183

Documents attached:

1.	Transmittal	1 page
2.	Response to Restriction Requirement	2 pages
3.	Application Data Sheet	5 pages

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 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 27, 2005

A handwritten signature of "Melanie Lyons" in black ink.

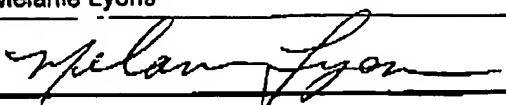
Melanie Lyons

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/777,524
		Filing Date	02/11/2004
		First Named Inventor	Gosse Jan ADEMA
		Art Unit	1647
		Examiner Name	B.E. Bunner
Total Number of Pages in This Submission	9	Attorney Docket Number	DX0670KB1B

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: 1. Response to Restriction Requirement (2 pages) 2. Application Data Sheet (5 pages) 3. Fax Transmittal Sheet (1 page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	
Date	27-Apr-2005

CERTIFICATE OF TRANSMISSION/MAILING			
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Typed or printed	Melanie Lyons	Date	4-27-05
Signature			

Attorney Docket: DX0670KB1B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:
Gosse Jan ADEMA, et al.

Application No.: 10/777,524

Filed: February 11, 2004

For: ISOLATED MAMMALIAN
MONOCYTE CELL GENES;
RELATED REAGENTS

Examiner: B.E. Bunner

Art Unit: 1647

Conf. No.: 8025

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by: 
MELANIE LYONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Restriction Requirement dated April 1, 2005

I. Restriction Requirement

The Examiner restricted the application into four separate inventions:

- I. Claims 21-29 drawn to a substantially pure or isolated polypeptide comprising an amino acid sequence of SEQ ID NO: 2, classified in class 530, subclass 350.
- II. Claims 21-29 drawn to a substantially pure or isolated polypeptide comprising an amino acid sequence of SEQ ID NO: 4, classified in class 530, subclass 350.
- III. Claims 30-32 drawn to a method of modulating physiology of a cell comprising contacting the cell with the polypeptide of SEQ ID NO: 2, classified in class 435, subclass 375.
- IV. Claims 30-32 drawn to a method of modulating physiology of a cell comprising contacting the cell with the polypeptide of SEQ ID NO: 4, classified in class 435, subclass 375.

Applicants provisionally elect Group I, Claims 21-29 whose claims are drawn to a substantially pure or isolated polypeptide comprising an amino acid sequence of SEQ ID NO: 2, classified in class 530, subclass 350, for example, as discussed in the present Restriction Requirement

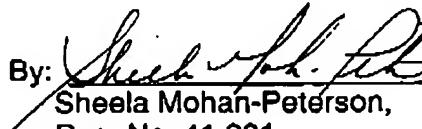
Applicants will address the issue of inventorship for the elected claims and amend inventorship appropriately if the elected restriction is made final.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Since Applicants have fully and completely responded to the Restriction Requirement and have made the required election, this application is now in order for early action.

If the Examiner believes that a telephone conference would aid the prosecution of this case in any way, please call the undersigned.

The Commissioner is hereby authorized to charge the requisite fee to DNAX Deposit Account 04-1239. Please charge any additional fees or credit overpayment to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

By: 
Sheela Mohan-Peterson,
Reg. No. 41,201
Attorney for Applicants

Date: 27-April-2005

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